

AMENDED IN ASSEMBLY APRIL 23, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

## ASSEMBLY BILL

**No. 1799**

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**Introduced by Assembly Member Bradford**

February 21, 2012

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An act to amend Section 49068 of the Education Code, relating to pupil records.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1799, as amended, Bradford. Pupil records: pupil transfers.

Existing law requires a pupil's former school district, as defined, or private school to transfer the pupil's permanent record, or a copy thereof, upon a request from the school district, as defined, or private school where the pupil intends to enroll.

This bill would instead require the former public school or private school to perform the transfer of the pupil's permanent record or copy of it no later than 10 schooldays, as defined, following the date of the request *is received*. The bill would state legislative findings and declarations regarding the importance of the academic record of a transferring pupil and the accuracy of those records. By imposing a new requirement on public schools to transfer records within 10 schooldays, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 49068 of the Education Code is amended  
2     to read:  
3     49068. (a) The Legislature finds and declares that the academic  
4     record of a transferring pupil is essential to the pupil's placement,  
5     academic success, and timely graduation. The Legislature further  
6     finds and declares that an accurate, updated pupil record enhances  
7     school safety, academic achievement, and pupil welfare when the  
8     record of a transferring pupil includes transcripts, immunization  
9     records, and, when applicable, suspension notices, expulsion  
10    records, and individualized education programs.  
11    (b) If a pupil transfers from one public school to another or to  
12    a private school, or transfers from a private school to a public  
13    school within the state, the pupil's permanent record or a copy of  
14    it shall be transferred by the former public school or private school  
15    no later than 10 schooldays following the date of the request *is*  
16    *received* from the public school or private school where the pupil  
17    intends to enroll.  
18    (c) As used in this section, "schoolday" means a day upon which  
19    the school is in session or nonholiday weekdays during the summer  
20    break.  
21    (d) A public school requesting a transfer of a record pursuant  
22    to this section shall notify the parent of his or her right to receive  
23    a copy of the record and a right to a hearing to challenge the content  
24    of the record.  
25    (e) The state board may adopt rules and regulations concerning  
26    the transfer of records.  
27    SEC. 2. If the Commission on State Mandates determines that  
28    this act contains costs mandated by the state, reimbursement to  
29    local agencies and school districts for those costs shall be made  
30    pursuant to Part 7 (commencing with Section 17500) of Division  
31    4 of Title 2 of the Government Code.

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